

It is interesting that only Native Hawaiians are being invited to submit testimony. I suppose that is because our government officials have been brainwashed by sovereignty activists to believe that only Native Hawaiians were citizens of the Kingdom of Hawai'i. Our government seems to think that it owes reparations and political recognition only to one race of people, rather than to the entire population. I believe that the U.S. does not owe anything to anybody by way of restitution for its miniscule role in the overthrow of the monarchy; but that if something is indeed owed, then it is owed to an entire citizenry rather than just to one race.

#### DOES THE U.S. OWE HAWAIIANS ANYTHING?

Some kanaka maoli (Native Hawaiians) claim that the United States owes them land, money, and political recognition because of the overthrow of the monarchy in 1893. They are mistaken.

157 sailors and marines from one navy ship in Honolulu harbor came ashore for a few hours to help maintain order, and they did so intentionally at a time that was very helpful to those trying to overthrow the queen. But 1500 members of the Honolulu Rifles, who 6 years previously had imposed the Bayonet Constitution, were also on the streets with their weapons. The local members of the Honolulu Rifles outnumbered the U.S. troops ten-to-one, and the Honolulu Rifles were the people who actually seized control of important government buildings, disarmed the royal militias, and enforced the overthrow both on January 17 1893 and in the days and months thereafter. The 157 U.S. troops who came ashore returned to their ship soon after their arrival. The Republic of Hawai'i held power for the next five years without any assistance from the U.S., and despite the strong opposition of the queen's friend and political ally, President Grover Cleveland, who tried to pressure the Republic into undoing the revolution and restoring the queen. The U.S. role in the revolution was minor compared to the role of the local Honolulu Rifles, and President Cleveland's efforts to restore the queen were substantial and timely -- and far more effective as an apology than anything that might happen 107 years later. When the queen surrendered during the revolution of 1893, she chose not to surrender to the local

Committee of Safety and the Honolulu Rifles who had actually overthrown her, because she realized such a surrender would be final. Instead, she chose to surrender to the United States, because she thought she might have a chance at getting the U.S. to reverse it. Wouldn't everyone who loses a battle to one enemy love to choose to surrender to someone else who is less intimidating, more generous, and far away?

The government and crown lands, now known as the ceded lands, were held by the government of the Kingdom on behalf of all the people of Hawai'i, not just the race of kanaka maoli. And even today, those ceded lands are still held by the governments of the United States and the State of Hawai'i on behalf of all the people of Hawai'i. There were no "stolen lands" as a result of the change of government, and no compensation is owed. (See website: <http://aloha4all.org>).

Furthermore, at the time of the overthrow and annexation, only one out of every four residents of Hawai'i had any kanaka maoli blood at all. According to the Native Hawaiian Databook, in 1900 74% of the population of Hawai'i had no native blood. Probably about half of the citizens of the Kingdom of Hawai'i, even before the overthrow, had no native blood. Non-kanaka maoli comprised not only 3/4 of the population, but also held most of the high-level government offices and controlled most of the wealth. The Kingdom that was overthrown was NOT a racially-defined kanaka maoli nation. All citizens regardless of race or genealogy had full and equal voting rights and property rights, and even some non-citizen residents had those same rights. So it is very obvious that IF the U.S. owes any reparations or reconciliation for the overthrow of the Kingdom, such things are owed not to the race of kanaka maoli, but to all the people of Hawai'i, 3/4 of whom were non-kanaka maoli then, and 4/5 of whom are non-kanaka maoli now.

The kanaka maoli 26% minority mostly sided with the queen, who was correctly seen as being their ally rather than an impartial monarch of all the people. So, when the revolution succeeded, the kanaka maoli felt themselves to be the losers. And indeed, kanaka maoli suffered losses of political power and suppression of their language and culture during the early years of the Republic and the Territory, partly because the victors felt a need to consolidate their hold on power in the face of continuing unrest (including an armed counterrevolution which was easily defeated).

Many kanaka maoli sovereignty activists today demand "reconciliation," restitution, and political recognition from the United States; but their real agenda is to revive a counterrevolution. Some sovereignty groups seek independence from the United States, wherein the entire territory of the current State of Hawai'i would become an independent nation in which only those who have kanaka maoli blood would be eligible to vote. Such a nation never existed in any period of history, but the activists feel entitled to establish it, and point to the U.S. apology bill (PL103-150) as evidence that the U.S. acknowledges their right to do so. Indeed, some of these activists believe that only kanaka maoli should have the right to decide whether such an independent nation shall be established. (See the survey of sovereignty activists on the issues of who gets to vote and own property, included in a master's thesis: <http://www.hookele.com/non-hawaiians/contents.html>) The apology bill has had other consequences tending to undermine legal authority, as kanaka maoli defendants in civil and criminal trials cite the apology bill to support their claim that the state and federal governments lack jurisdiction in Hawai'i.

The United States government has been generous in providing special programs to help kanaka maoli (and only kanaka maoli) with medical care, educational programs, and land for building houses. But the existence of these programs, and the continual renewal of them, is taken by the activists as proof that the United States has established a trust relationship with kanaka maoli, defined by race, and that the trust relationship is now legally binding upon the United States and constitutes a form of political recognition. Imagine that if I offend someone, and then apologize, he then uses my apology as proof of culpability and files a lawsuit against me demanding compensation. Imagine that if I hand a dollar to a needy person on the street on Monday, Tuesday, and Wednesday, but then walk by on Thursday without giving him the dollar, he comes after me and tells me I owe him a dollar because I have established a trust relationship with him.

The sovereignty activists are demanding that the United States, which may have had a 5% responsibility for the overthrow, must pay 100% of the "damages" in restitution. Like lawyers in civil liability cases with several defendants, the activists are pursuing the "deep pockets" of the wealthiest defendant under a theory of joint and several liability. But any

restitution morally owed by the U.S. for its minimal involvement in the overthrow was more than paid by the actions of President Cleveland in seeking to restore the ex-queen. His inability to do so, and the defeat of the Wilcox counterrevolution, demonstrate clearly that the real responsibility for the overthrow lay with the local revolutionists, who maintained a strong hold on power throughout the succeeding years until the annexation.

I believe that the United States must abandon all so-called "entitlements" for kanaka maoli, defined by race. And the use of the phrase "persons descended from those who occupied the lands now known as the Hawaiian Islands prior to 1778" is, of course, a racial definition. As shown above, the Kingdom of Hawai'i was multiracial, with full and equal voting rights and property rights for all, with 3/4 of the population having no native blood. The Kingdom of Hawai'i got that way through the decisions of the sovereign monarchs, exercising self-determination for their native people while also serving as monarchs of all the people. Continuing "entitlement" programs restricted to kanaka maoli are unnecessary as reconciliation or restitution, are racially discriminatory against the other 80% of the population who also have many needy people, perpetuate an entitlement mentality where people look to government for handouts rather than looking to themselves for initiative; and such programs give encouragement to activists who use them as evidence of a trust relationship and recognition of a political entity seeking independence. Race-based "entitlements" are unconstitutional, immoral, and actually harmful to the recipients in the long run.

Does the U.S. owe Hawaiians anything? Yes, it owes kanaka maoli (Native Hawaiians) the same thing it owes to all residents of Hawai'i: the equal protection of the laws, the constitutional rights we all enjoy as citizens of the United States, protection against enemies both foreign and domestic, and help for those who cannot help themselves. When help is given, it must be based on need rather than race. The U.S. has generously funded various "entitlement" programs for kanaka maoli, and those programs have been growing in recent years. Some kanaka maoli individuals and organizations have become dependent upon those programs and upon the governments that provide them, just as substance-abusers become addicted to the poison they take and the pushers who provide it. The termination of race-based entitlement programs will inevitably be

accompanied by painful withdrawal symptoms, and all who love the victims must work hard to offer compassion and help during the transition.

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A handwritten signature in cursive script, appearing to read "Kenneth Robert Conklin".